

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

D.L.; K.S.F.; and K.B., by and through her
parent and next friend H.B.,

Plaintiffs,

v

MICHIGAN DEPARTMENT OF
EDUCATION,

Defendant.

Case No. 22-cv-00838-RJJ-PJG

Hon. ROBERT J. JONKER

Mag. PHILLIP J. GREEN

**UPDATED JOINT STATUS
REPORT**

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UPDATED JOINT STATUS REPORT

The parties, by and through their respective counsel, present to the Court the following Updated Joint Status Report, pursuant to Fed. R. Civ. P. 26(f), the Court's March 29, 2024 Stipulation and Order to Modify Case Management Order (ECF No. 51, Page ID.326), and Notice of Hearing setting a Rule 16 Scheduling Conference on August 15, 2024 (ECF No. 56, Page ID.341).

1. On March 29, 2024, the Court issued its second case management order following a stipulation by the parties, (ECF No. 51, PageID.326), amending the case management plan as follows:

Defendant's expert reports due	May 15, 2024
Rebuttal reports due	June 15, 2024
Written discovery closes	June 21, 2024
Depositions and expert discovery close	July 21, 2024
Mediation deadline and dispositive motions due	To be determined by the Court at June 24, 2024 status conference regarding their progress in discovery.

2. On June 13, 2024, the Court issued a Notice of Hearing setting a Rule 16 Scheduling Conference on August 15, 2024 (ECF No. 56, PageID.341).

3. Due to Defendant's lead counsel having a health emergency and resulting scheduling conflicts, the July 12, 2024 mediation with Lee T. Silver (P36905) was cancelled. Mediation has now been rescheduled with William W. Jack Jr. (P23403) for September 3, 2024.

4. The parties have completed written discovery, conducted several depositions, and have exchanged all expert reports. In an effort to conserve resources, the parties have agreed to depose expert witnesses only if mediation on September 3, 2024 is unsuccessful.

5. On June 24, 2024, Defendant requested to depose Plaintiff K.B. The parties were not able to schedule Plaintiff K.B.'s deposition prior to the July 21, 2024 depositions closure deadline. Defendant seeks to extend deposition discovery to complete this deposition.

6. After reviewing over four-hundred pages of deposition transcripts provided on July 30 and 31, 2024, Plaintiffs believe they have learned new information concerning an MDE employee and a former MDE employee. Plaintiffs seek to extend deposition discovery to take two additional, half-day depositions.

7. The parties will be prepared to address both of these matters at the August 15, 2024 Status Conference. And, if directed to do so by the Court, the parties will file any motion(s) seeking to extend the deposition discovery deadline to complete any additional proposed depositions.

Respectfully submitted and stipulated as to form and content by:

/s/ Mitchell D. Sickon (with consent)

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Dated: August 14, 2024